

Examiner-Initiated Interview Summary	Application No. 09/673,166	Applicant(s) LEGAL ET AL	
	Examiner DiBrino Marianne	Art Unit 1644	
All Participants: (1) <u>DiBrino Marianne</u> . (2) <u>Charles A. Muserlian</u> .		Status of Application: _____ (3) _____. (4) _____. Date of Interview: <u>28 July 2004</u> Time: _____	
Type of Interview: <input checked="" type="checkbox"/> Telephonic <input type="checkbox"/> Video Conference <input type="checkbox"/> Personal (Copy given to: <input type="checkbox"/> Applicant <input type="checkbox"/> Applicant's representative)			
Exhibit Shown or Demonstrated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide a brief description: _____			
Part I.			
Rejection(s) discussed: n/a			
Claims discussed: n/a			
Prior art documents discussed: n/a			
Part II. SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED: See Continuation Sheet			
Part III.			
<input checked="" type="checkbox"/> It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability. <input type="checkbox"/> It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.			
(Examiner/SPE Signature)		(Applicant/Applicant's Representative Signature – if appropriate)	

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's reply filed 4/30/04 to the Action mailed 4/21/04 is nonresponsive because Applicant failed to elect a species of CTL epitope required at item #5 in the Restriction Requirement mailed 11/7/03. In the said reply, Applicant indicated that "Applicants elected the HIV NEF 68-82 as the CTL epitope. Such a lipopeptide is named TT-NEF at the bottom of Table 8 of the specification and has the following amino acid sequence FPVTPQBPLRMTYK." However, the lipopeptide named TT-NEF at the bottom of Table 8 in the specification is not a CTL epitope per se and has a length of 35 amino acid residues and the amino acid sequence FPVTPQBPLRMTYK has a length of 15 amino acid residues and contains a "B" which is not a code letter for any amino acid residue.

Applicant indicated in a telephone message of today's date in reply to the said CTL epitope species election, that the elected lipopeptide is SEQ ID NO: 276 amino acid residues 1-43. However, Applicant's reply is still non-responsive. The Examiner left a subsequent message. No reply has been received. In addition, the lipopeptide TT-NEF at the bottom of Table 8 of the specification has a one additional amino acid residue at the N terminus, i.e., K, that is not present in SEQ ID NO: 276 which begins with G.

However, in the interest of facilitating prosecution, the Examiner has made the assumption that amino acid residues 20-34 is the CTL epitope, i.e., FPVTPQVPLRPMTYK, the V being the correct amino acid residue instead of B, and the elected species of lipopeptide is a dipalmitoyl lysyl version of the palmitoyl lysyl peptide TT-NEF.